



STATE OF DELAWARE
DEPARTMENT OF FINANCE
DIVISION OF REVENUE
DELAWARE STATE BUILDING
820 N. FRENCH STREET
WILMINGTON, DELAWARE 19801

DIVISION OF REVENUE
TAX RULING 80-2

March 12, 1980

- Gift Tax Returns (Chapter 14, Title 30 Delaware Code)

Public Law 96-167 (96th Congress), signed by the President on December 29, 1979, amended the Federal law relating to gift tax returns. The law provides in the case of a return required for the fourth calendar quarter of any calendar year, the return must be filed on or before the 15th day of the fourth month following the close of the calendar quarter, rather than the 15th day of the second month as previously required. In the case of gift tax returns required to be filed for the first, second or third calendar quarter of any calendar year, such returns continue to be due on or before the 15th day of the second month following the close of the calendar quarter. The amendment is effective with respect to gift tax returns due after December 29, 1979.

Under Delaware law (Chapter 14, Title 30 Delaware Code), the amount of "taxable gifts" is determined in accordance with Federal law. In view of this, and the provision that notice of an extension of time for filing the return for Federal tax purposes will extend the time for filing the State tax return, it is concluded that Delaware gift tax returns meeting the filing requirements prescribed for Federal purposes will be considered timely filed.

Robert W. Chastant
Director of Revenue